

GAHC010067332020



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Cont.Cas(C)/218/2020

ZAKIR HUSSAIN MEMORIAL ACADEMY AND ANR.
REP. BY FATIMA BEGUM BARBHUIYA, HEAD TEACHER, SIBPUR PART-II
(RUPAIBALI) P.O. HAZARIGRAM BAZAR, DIST. CACHAR, ASSAM

2: FATEMA BEGUM BARBHUIYA W/O AMIR HUSSAIN LASKAR
R/O VILL. RUPAIBALI P.O. HAZARIGRAM BAZAR
DIST. CACHAR ASSA

VERSUS

SANJIB KUMAR BHUIYAN AND ORS
DIRECTOR OF ELEMENTARY EDUCATION ASSAM, KAHILIPARA,
GUWAHATI-19

2:B KALYAN CHAKRAVARTY IAS MISSION DIRECTOR AXOM SSA MISSION
ASSAM KAHILIPARA GUWAHATI-1

Advocate for the Petitioner : MR. J LASKAR

Advocate for the Respondent :

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 12.01.2024

Heard Mr. S. M. T. Chistie, learned counsel appearing on behalf of respondent No. 1; and Mr. S. Borah, learned counsel appearing on behalf of respondent No. 2.

Mr. Chistie, learned counsel for respondent No. 1, in terms of this Court's order, dated 03.01.2024, has produced the instruction, dated 11.01.2024, issued by the Director,

Elementary Education Department, Government of Assam.

A perusal of the same reveals that the petitioner in the present writ petition, namely, Fatima Begum Barbhuiya, had submitted a written statement addressed to the Director, Elementary Education Department, Government of Assam, regarding closure of the school “Zakir Hussain Memorial Academy, Cachar” and her unwillingness to run the school, any further. Further, the Head Teacher of the said school had also submitted the Form A01 for withdrawal of the DISE Code of the school, in question. The Director, Elementary Education Department, Government of Assam, had further brought on record that “Zakir Hussain Memorial Academy, Cachar” is a private school since its inception and the said school had submitted DISE up to the year 2022-23 and the DISE data is not uploaded thereafter, on account of the fact that the said school is sought to be discontinued.

In view of the said instruction placed on record, I find that the same is in substantial compliance of this Court’s directions contained in the order, dated 27.03.2019, passed in WP(c)2018/2019 and as such, there is no willful and deliberate violation of the Court’s order by the respondents in the matter.

In view of the above, the present contempt petition is hereby closed.

The copy of the instruction, dated 11.01.2024, shall be kept as a part of the record and marked as ‘X’ for identification.

JUDGE

Comparing Assistant